

CITY OF KIRTLAND  
PLANNING AND ZONING COMMISSION  
SPECIAL MEETING

MINUTES OF THE MEETING  
MAY 24, 2021

The meeting was called to order by Chairman Michael Denk at 7:01 p.m. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Present were Commission members Richard Blum, Michael Denk, Rick Loconti and Joseph Vinciguerra. Richard DeMarco was absent.

Also present were Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Zoning Inspector Wayne Baumgart and Councilman Joseph Smolic.

PUBLIC SESSION:

PUBLIC REQUESTS

Sausalito Group – Final Development Plan for Outdoor Dining Patio at 9270 Chillicothe Road

Present on behalf of the applicant were Saravanan Chandrababu and Carlos Chinchilla of the Sausalito Group, and Architect Joseph Myers.

Chairman Denk acknowledged receipt of a memo dated May 19, 2021 from City Engineer Douglas Courtney. Mr. Courtney reminded those present that the conditional use permit and preliminary plan were approved at the Commission's April 12 meeting. He noted that the recently submitted plans show a revised patio configuration from the preliminary plan; it reduces the patio size to approximately 1910 square feet. Mr. Courtney noted that the objective was to pull the corner of the patio away from the top of the slope of the ravine, which was his recommendation since it was approximately only 5 feet from the top of the slope. The setback from the slope is now approximately 14 feet. Mr. Courtney stated the applicant has provided all documents required with the final development plan, including building materials and colors; site grading, drainage and erosion control plan; and site landscaping and lighting plans. Mr. Courtney advised that stormwater management for the site is not required, and preliminary plot plan requirements have been met. Mr. Courtney stated he is recommending approval of the final development plan.

Answering Mr. Denk, Mr. Myers stated the patio is level with the door of the building, but raised off the ground at the outside edge due to the ground slope.

Chairman Denk shared the plans, using the screen share function of Zoom.

Mr. Blum inquired about the privacy fence shown on the landscape plan. Noting that there are residents in the building up front, Mr. Myers stated that the 6 ft. board-on-board privacy fence will provide screening for the residents. He noted there are two apartments. Mr. Chinchilla noted that the property owner has shared the plans with the renters, and they are in agreement.

Chairman Denk opened the meeting to public comment on the matter. There were no comments from the public.

Mayor Potter thanked the applicants for addressing everything that was requested of them, and making sure that it is in compliance with the City's codes and that it will look nice. He also thanked the Commission and administrative staff for holding the special meeting to address this.

Answering Mr. Blum, Mr. Myers advised that the applicant will address the signage as a separate proposal, noting that they have been working with Mr. Lallo in that regard.

Chairman Denk stated that he would entertain a motion to approve the final development plan for the outdoor dining patio at 9270 Chillicothe Road. Mr. Blum so moved, and Mr. Loconti provided the second. Upon roll call vote, the motion passed 4-0 (Ayes – Blum, Loconti, Vinciguerra and Denk; Nays – None).

#### Parks Farm Subdivision – Final Plat/Final Development Plan

Dusty Keeney of Polaris Engineering and Surveying and Carol Parks were present in this regard. Chairman Denk acknowledged receipt of a memo dated May 20, 2021 from City Engineer Douglas Courtney.

Mr. Courtney stated that the property for the proposed subdivision is approximately 47 acres and is zoned R-3B, it is on the north side of Billings Road, and would subdivide the property into 15 sublots ranging from 2 to 5-1/2 acres (average lot size 2-1/4 acres). He noted that the Board of Zoning Appeals approved front setback variances for Sublot 1 and Sublot 15. He stated the road will be approximately 1650 ft., 22 ft. wide, curbed, with a 50 ft. right-of-way; the road is compliant with the general requirements for streets. The proposed roadway and storm sewers are intended to be dedicated to public use. He noted there are 12 ft. utility easements outside and adjacent to the right-of-way. Mr. Courtney stated there will be two stormwater ponds to manage stormwater runoff, and there will be storm sewers on the street. He advised that the overall plan for septic systems has been approved by the Lake County General Health District.

Mr. Courtney noted that all of his comments on the plan have been addressed; however, Lake County Soil & Water and Lake County Stormwater Management have comments that need to be addressed. Mr. Courtney stated it is his recommendation that the Commission approve the final development plan contingent upon those comments being addressed and Lake County Soil & Water and Lake County Stormwater Management issuing their approval of the plans.

Answering Mr. Denk, Mr. Courtney advised that Lake County General Health District has given their approval to the septic system configuration for the lots, but each subplot will have to receive Health Department approval for their septic systems. He noted that a copy of the May 17, 2021 letter to Mr. and Mrs. Parks from Lake County General Health District was provided to the Commission.

Mr. Keeney stated they have addressed approximately 90 percent of the comments from Lake County Soil & Water and Lake County Stormwater Management, but they have not yet resubmitted to those agencies. He stated there is a delay because of the Army Corps permitting for the wetlands, some of

which is due to the backlog as a result of COVID. Mr. Keeney noted the process has been started and the Army Corps has been to the site; they have affirmed the delineation and it is now a matter of completing the final paperwork. Mr. Courtney noted that construction will not be able to start until those permits are in hand.

Chairman Denk reviewed some of the conditions listed in the letter from Lake County General Health District. There was discussion regarding the utilities to be provided.

Discussion ensued regarding stormwater drainage. Mr. Keeney stated that storm connections will be provided for roof downspouts; he noted there will be multiple modes of drainage throughout the subdivision. With regard to wetlands, Mr. Keeney stated some are under the jurisdiction of the Ohio EPA and some are under the jurisdiction of the Federal government under the Army Corps of Engineers.

Answering Mr. Denk, Mr. Keeney stated there is an existing home on Sublot 13 that will remain; the driveway to Billings Road will be abandoned and the driveway will connect into the new roadway. He stated that the existing home on Sublot 15 will remain, noting that a variance was granted to allow the existing outbuilding to stay as long as the current residents are living there; when those residents are no longer there, the outbuilding will be removed. Mr. Keeney noted that the barn on Sublot 14 is in the process of being demolished.

Chairman Denk opened the meeting to public comment.

Phil Milavec of 8706 Pheasant Lane said that he is happy the drainage problem is being addressed on sublots 6 and 7 adjoining his and his neighbors' properties. He stated he will advise if there are any issues going forward.

Answering Mr. Denk, Mr. Keeney stated that deed restrictions have been drafted, and there will be a Homeowners Association. Mr. Lallo noted that he will have to review the deed restrictions prior to Council approval of the plat; Mr. Courtney advised that he has the covenants and restrictions, along with the inspection and maintenance agreement for stormwater related items.

Mr. Blum moved to approve the final development plan for the Parks Farm Subdivision contingent on the following:

1. Approval from the Army Corps of Engineers and the Ohio EPA in regard to the wetlands;
2. Submittal of revised plans addressing comments from the Lake County Soil and Water Conservation District and their approval of the plans; and
3. Submittal of revised plans addressing comments from the Lake County Stormwater Management Department and their approval of the plans.

Mr. Vinciguerra provided the second to the motion. Upon roll call vote, the motion passed 4-0 (Ayes – Blum, Loconti, Vinciguerra and Denk; Nays – None).

Mr. Vinciguerra moved to approve Planning and Zoning Commission Resolution No. 21-PZ-3 and recommend Parks Farm Subdivision Final Plat approval to City Council. Mr. Loconti provided the second. Upon roll call vote, the motion passed 4-0 (Ayes – Blum, Loconti, Vinciguerra and Denk; Nays – None).

Adjournment

There was no further business before the Commission, and Mr. Vinciguerra moved to adjourn. Mr. Blum provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 7:56 p.m.

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CHAIRMAN

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SECRETARY